IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No.435 (M/B) of 2003

Dhangar Samaj Maha Sangh Nainital, through Megh Nath Singh Dhangar, Village Baghele Wala, Kashipur, Distt. Erstwhile Nainital, Now U.S. Nagar Uttaranchal and one hundred sixty six others

..... **Petitioners**

Vs

State of Uttaranchal, through Secretary, Samaj Kalyan Vibhag, Dehradun and three others

..... **Respondents**

Sri Sudhir, ld. counsel for the petitioner
Ld. Standing counsel for the State

Dated: - August 23, 2006

Coram: Hon'ble P.C. Verma,J.
Hon'ble B.S. Verma,J.

By means of this writ petition, the petitioners have prayed for writ of certiorari quashing the order passed by Tehsildar, Kashipur- Respondent No.3.

2. The petitioners claim to be the scheduled caste candidates and they were granted scheduled caste certificates in this regard. There is a dispute in respect of the castes of the petitioners as to whether they falls under the scheduled caste category as notified in the Presidential or not.

3. In view of the above, we relegate the petitioners to approach the Collector concerned who shall re-examine the matter in detail independently ignoring the finding recorded and report relied upon by the Tehsildar concerned. The petitioners shall file applications independently against the cancellation of

their caste certificates by the Tehsildar and the Collector concerned shall pass fresh order on the applications of the petitioners.

4. With the aforesaid observation, the writ petition is disposed of finally.

(B.S. Verma, J.) **(P.C. Verma, J.)**

Rajeev Dang